In the matter of appointments, there were no definite rules for restricting the discretion of the heads of departments or for preventing the abuse of their powers. The officers distributed the appointments in their gift among the members of their own communities. Unjust appointments were, in some cases, sought to be justified on communal grounds and, in other cases, on the principle of efficiency. A Staff Selection Board should be constituted to recruit men to the lower ranks of the service. For making recruitments to higher ranks and incidentally, for affording bright careers to young men of talents, a civil service examination should be instituted.

DEWAN'S REPLY; Mr. Nayar, I shall give a common reply to you and to the other members who spoke on the same subject.

184. Need for making appointments in the Public service on the basis of communal representation alone.

MR. VARKEY ZACHARIA (*Municipal Council, Changanacherry*) said that there was an undue preponderance for Caste Hindus in the public service. Of the 495 appointments carrying a pay of Rs. 150 and above, 355 were held by them. That predominance existed in the lower ranks also of the service. Nearly 70 per cent. of the total number of appointments were shared by the Caste Hindu communities, though they formed only one-fourth of the total population of the State. The Ezhavas and the Catholic Christians who out-numbered the Caste Hindu population did not get even one-tenth of the representation of Brahmins or Nairs. That inequality would remain so long as Government failed to enforce the principle of communal representation in public service.

The communal ratio fixed by the High Court for the recruitment of Munsiffs did not satisfy the Catholic community. The community was not also benefited by the separation of Devaswoms from the Revenue department. All the 3 Dewan Peishkars and 7 out of the 8 Division Assistants were Caste Hindus.

There was uneasiness among the unrepresented communities as Government did not try and improve their lot. Government would not be able to plan and carry out schemes of popular welfare so long as the agitation for appointments existed in the country. There was only one means by which communal bickerings could be avoided and that was to recognise and give effect to the principle of communal representation. The plea that communal representation was inconsistent with efficiency was not found convincing by those to whom it was addressed as there were competent men in all communities.

The member, in conclusion, requested the Dewan to bring about an improvement in the relationship between the several communities by the immediate enforcement of the principle of communal representation in public service.

DEWAN'S REPLY: The subject that I said was common to Mr. A. P. Nayar who made his representation last and to some of the

previous speakers who dealt with the public service, and to which I now propose to reply is that of corruption in the public service. As many of those members who made representations on that matter said, that is a cry that we have been hearing from year to year now for a long time. But, as one who has not come from outside the State but who has lived all his life in the State and who therefore has had as much opportunity as anybody else to see how the public service here has been conducting itself, I may say that it seems to me that you have been given to exaggeration in that matter. I would even go to the length of saying that you have been hypnotizing yourselves into a belief that somehow our public service here is much worse than the public service in other parts of the world. I should not wonder at this hypnotic effect of representations like those made by Mr. Nayar in that thundering voice of his because sound, it is said, is one of the means employed by hypnotists. Sound and sight are the two means by which hypnotists hypnotize their patients. Add to that, the thunders that issue from the press. From one section of the press, it is impossible not to have some article regarding corruption in every issue. It seems to me therefore that it is no wonder that people have more or less hypnotized themselves into that belief.

I would refer you to the discussions that took place in the Legistive Council on two occasions on this matter—one in February 1925 and the other in April 1927. The question was threshed out on either side and the resolutions that had been tabled regarding corruption in the public service were withdrawn.

One cannot deny that there is, what might be called, corruption in some of the lower grades of the service in some departments. Some of the members said that, as a Vakil, I must have been brought into touch with the extensive corruption in the Judicial Department. I must disclaim any such knowledge. I have heard, as other people have heard, that there are some employees in the lower grades of the service who are sometimes tempted to certain irregular acts in a small way. I do not mean by saying "in a small way" that it is not a heinous offence in itself. It is always a serious offence. But what I am saying is that there is, so far as I know, no justification for declaring to the world that Travancore has the most corrupt public service in the world. If you refer to those discussions that I mentioned, you will see that some of the non-official members—those who knew about litigation and administration in other parts of India and in other parts of the world—themselves said that it was wrong to say that the public service here was in any way more corrupt than the public service in other parts of India and even in some of the western countries which are considered to be the most civilized in the world.

Whatever might be the extent of corruption, however, our chief concern should be to put an end to it. I am thankful to the members for their various suggestions as to the means to be adopted to put an end to this evil. What can be done must be done in co-operation, sympathetic co-operation, between the people and the heads of departments and the administration to find out where there is corruption, who are the

corrupt officials and to deal with them in such a manner that they should be an example to others. Some of the members who spoke on that subject said that the Government have maintained that unless they make a definite charge and prove according to the rules of the Evidence Act that a man is corrupt, Government are not going to take any action. I do not think the attitude of Government in that matter has been correctly understood. What the Government said and what all Governments will have to say today and tomorrow is that merely because there is a rumour or there is a vague statement by somebody somewhere that an officer is corrupt, merely on the basis of that, no Government will be justified in taking action against an officer. Officers themselves are men who have rights. One of the important characteristics of the public service, which keeps those who are in the public service amenable to control, is that a person who has entered the public service has some security of tenure. Once that belief, that trust, is in any way impaired, then, one of the main grounds upon which Governments and administrations can have control over their subordinates is removed. Therefore, it would be a greater evil if Government act in such a way as to remove this sense of security in the minds of their employees. All that the Government can do is to see that, if they get proof, they take action. It need not be proof which will stand in a court of law, but it must be proof that will stand at least in a court of morals. There must be at least that amount of proof before a man can be found guilty and punished. The punishment will be very severe. The least punishment that can be awarded to a man who has been found guilty is dismissal from service. It would be a hard thing for a man who has perhaps been serving the Government loyally, honestly and efficiently if merely on a vague statement he should be sent out of the service. Without proof, Government cannot take action against an officer for corruption. Subject to that condition, I may assure you that Government are always ready to find out people who are corrupt and to deal with them severely. No man who has been proved to be corrupt would Government keep in service any longer.

I may also bring to your notice the fact that the Government have been in the past trying by means of rules and circulars to narrow the possibility of corruption by laying down, for instance, that an officer should not have his relations serving under him, that he should not acquire property without bringing it to the notice of Government, that he should not borrow money from those with whom he has to deal in an official capacity; all these are done by the Government with a view to narrow the possibility of corruption. As an instance of what heads of departments are doing, I may tell you one thing that the High Court have done. Very often corruption in that department is due to the desire of some of the litigants to steal a march over their companions or opponents. Suppose there are applications for copies of decrees. One man wants to get his decree before another who has applied before him. It is in circumstances like that that corruption finds scope. The High Court have made it a rule that copies of decrees should be given only in

the order of the applications received in the Court, and if any change is to be made in that order that must be done with the special permission of the Court. Thus one way in which corruption in the lower ranks of the service can be reduced is to minimise the occasions when there might be any opportunity for corruption. That can be done, and, as far as possible, that is being done, by means of rules and circulars.

Some members who made representations in this matter also stated that the low salaries that are now given to some of these officers in the lower grades must contribute to the existence of corruption. It cannot be said that is a view that is groundless. It has been the policy of Government gradually to increase the salaries of the lowest paid employees in the service. But, as I said in reply to another representation on that subject, we cannot ignore the limitations of finance. Subject to that limitation, Government have been steadily improving the salaries of their employees in the lower grades.

185. Needs of the Ezhava Community.

MR. S. KRISHNAN ASAN (*Nominated*) said that the Ezhava Regulation did not apply to Misradaya Ezhavas at all and that they were not intended to be affected by it. Difficulties had arisen on account of the confusion of *dayam* and *vazhi*. A Makkathaya Ezhava was not the same as a Makkavazhi Ezhava. In fact, there were only Makkavazhi Ezhavas. The Makkathaya Ezhavas were really the Misradaya Ezhavas, among whom self-acquired properties were divided between sons and *seshakars* on the death of the proprietor.

Although the preamble of the Regulation stated that it was expedient to define and amend the law of marriage, succession and family management among the Ezhavas, certain provisions of the Regulation, definitely showed that it was not intended to be applied to all sections of the community. The Regulation left the Misradaya Ezhavas free to follow the customary law that had been in vogue among them from time immemorial. But in spite of the clearness of the Regulation, enemies of the Misradaya Ezhava community and certain social reformers were attempting to interpret the Regulation in such a way as to make it applicable to the Misradayis. It was alleged that, if a Misradaya Ezhava family wanted to follow their time-honoured customs, they should apply to Government under Section 33 (1) of the Regulation. It was rather surprising that certain courts of law were also inclined to give countenance to that view. That interpretation was sure to cause considerable hardship to the members of the Misradaya community. Hence it was highly necessary that Government should declare, by a proclamation or a press communique, that the Misradaya Ezhavas were exempt from the application of the Regulation.

Ezhava boys should be admitted to all recognised schools in the State.

Ezhavas should be given adequate representation in the various departments, especially in the Judicial, Excise and Land Revenue Departments, where the representation of the community was lamentably poor.